

VETOED BILLS



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 [P 105] Proposition 105 Clause
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HB 2018 – VETOED – *school district budget errors; repayment

Allowed the Saddle Mountain Unified School District to pay the remainder of its annual installments at 5% instead of 10%, and extended the repayment period by five years.

HB 2054 – VETOED – *preschool programs; charter schools

Allowed charter schools to offer an educational program for preschool children with disabilities. Required SBE to include charter schools in its required annual distribution of at least 10% of the federal funding it receives for preschool programs for children with disabilities.

HB 2125 – VETOED – *property tax levy; community colleges

Authorized a community college district to resubmit a primary property tax levy proposal to the voters if an initial proposal was approved between 20 and 35 years prior.

HB 2144 – VETOED – child protective services

Made changes to the CPS statutes that required the court to grant a petition to adopt a child even if the child's parent has filed an appeal to the termination of parental rights when certain circumstances apply and changed the age of a child from three to five for whom specified provisions justify the termination of parental rights.

HB 2271 – VETOED – funeral establishment intern trainees

Allowed a funeral establishment to employ a student or prospective student of good moral character of a college of mortuary science as an *intern trainee* for up to one year. Required the employing funeral establishment to submit certain information to the Board of Funeral Directors (Board) about the intern trainee and authorized the Board to establish and collect a fee for intern trainees. Prescribed what the intern trainee is permitted to do upon completion of at least eight hours of Board-approved training in universal precautions. Eliminated statutory references to *apprentice embalmers* and repealed obsolete language.

HB 2322 – VETOED – rule making; restrictions

Prohibited state agencies from adopting new rules or amending existing rules in a way that would restrain or burden the free exercise of vested rights. Stipulated that an agency may only adopt a new rule or an amendment to an existing rule that is strictly ministerial and consistent with the statutory delegation of authority. Restricted the adoption of rules under the agency's statutory delegation of authority if the law is insufficiently clear to allow for strictly ministerial rule making. Enabled any person who is subject to civil or criminal proceedings arising from the enforcement of a rule that violates the provisions of this Act to have a defense to the enforcement action. Required any court or adjudicatory body considering or reviewing the defense to rule on the merits without deference to legislative, administrative or executive finding concerning the rule.

HB 2342 – VETOED – increased research; tax credit refund

Effective January 1, 2014, limited to \$10 million in calendar year 2014 and \$15 million in calendar year 2015 and each calendar year thereafter, the maximum income tax refunds the ACA could award to taxpayers for increased research activities. Subject to the limitations, stipulated during the first six months of any calendar year, the ACA could not approve refunds greater than 50% of the total and permitted the remaining 50% plus any unused balance from the first six months to be approved during the second six months.

HB 2433 – VETOED – Arizona state guard; age

Removed the age limit for service in the Arizona State Militia and stipulated that service by persons who are at least 45 years old must be voluntary.

HB 2439 – VETOED – income tax brackets; inflation index

Required DOR to adjust the income dollar amounts for each tax bracket in accordance with the average annual change in the Metropolitan Phoenix CPI and prohibited the dollar amounts from being revised below the amounts prescribed in the previous TY, beginning in TY 2014.

HB 2446 – VETOED – *property tax; religious institution; exemption

Broadened the tax exemption for religious property to include any property held primarily for religious use, rather than religious worship, and exempted from taxation vacant land that is held but not currently used by a religious association if the property is not held for profit and the religious association certifies annually to the county assessor its intent to utilize the property for religious purposes.

HB 2481 – VETOED – permissible county fireworks; penalty

Classified as a petty offense, a penalty for a violation of a regulation relating to the use of permissible consumer fireworks within a county or an incorporated city or town.

HB 2512 – VETOED – trusts; beneficiary suits against settlor

Created a presumption, rebuttable by clear and convincing evidence, that property obtained by a beneficiary through a governing instrument is a gift. Limited the value of a beneficiary's claim arising from a governing instrument and prohibited a beneficiary claiming damages from a gift of property made through a governing instrument by a grantor in the beneficiary's family.

HB 2553 – VETOED – bail bond agents; bonds; prohibitions

Modified the time a bail bond agent must keep all records pertaining to transactions made under the license. Prohibited a bail bond agent from indemnifying a bail bond or securing the release of a person without a contract and fee agreement. Allowed bail bond agents to recover the defendant for the fees and amounts that are agreed upon in writing prior to the posting of a surety bond. Removed the requirement for bail bond agents to refund any premiums or fees if the defendant is arrested for a violation of release.

HB 2578 – VETOED – licensing, accountability; penalties; exceeding regulation

Established civil penalties on municipal, county, state and district employees who knowingly base a licensing decision in whole or part on a requirement or condition that is not specifically authorized by law.

HB 2591 – VETOED – governmental reporting; websites; budgets

Required the state government and any agencies maintained by a local government to post the previous year's actual budget total on the bottom right-hand corner of their website's home page. Stated that the state budget total shall specify the amount of monies that come from the general fund, federal funds and other appropriated funds. Mandated both the state government and local agency budget totals to be updated within ninety days after the end of the fiscal year.

HB 2617 – VETOED – school tuition organizations; preapproval; entities

Allowed a tax credit for a small business corporation that makes a contribution to an STO and outlines requirements associated with the credit. Provided a retroactive effective date of January 1, 2013.

SB 1088 – VETOED – constables; prohibited acts

Prohibited constables from engaging in any act as a private process server outside of their elected or appointed duties or from owning an interest in any private process serving business. Clarified that the restriction on constables only applies to future terms of office.

SB 1115 – VETOED – direct pay prices; healthcare

Required a health care professional and facility to make the direct pay price available for a specified number of their most common services.

SB 1178 – VETOED – *exercise of religion; definition

Allowed a person to assert a claim for an impending violation of religious exercise, regardless of whether the government is a party to the proceeding. Prohibited state action, rather than government, from burdening a person's exercise of religion and defined *exercise of religion* and *state action*.

SB 1236 – VETOED – domestic relations committee; membership

Made changes to the membership of the Domestic Relations Committee.

SB 1323 – VETOED – *school district duties; buses

Removed certain reporting requirements for school districts regarding school buses and added language to the Transportation Support Level statute that required school districts to provide the odometer reading for each bus as of the end of the current year and the total bus mileage during the current year.

SB 1369 – VETOED – unemployment insurance; reimbursable employers

Exempted employers who make reimbursement payments to the UI Fund in lieu of tax contributions from DES charges for UI benefits when such benefits are paid to a claimant whose employment terminated with the employer due to reasons not attributable to the employer.

SB 1371 – VETOED – municipal elections; ballot; disclosure

Required a municipal election for a bond, sales tax or property tax approval to include on the ballot an estimate of the property tax levy to repay the bond, the sales tax increase amount or a tax estimate of a home valued at \$100,000, a commercial property valued at \$250,000 and vacant land valued at \$100,000.

SB 1437 – VETOED – music therapists; licensure

Provided for the certification of Board Certified Music Therapists.

SB 1439 – VETOED – legal tender

Specified that legal tender in the state of Arizona included legal tender authorized by Congress, specie coin issued by the US government, and any other specie that a court rules to be within the scope of state authority to make a legal tender. Prohibited a person from compelling another person to tender or accept specie legal tender and provided specific regulations regarding the taxation of legal tender. Directed the AG to enforce the provisions of this Act without prejudice to an individual's right to judicial action. Defined *legal tender* and *specie* and contained an effective date of 90 days from the adjournment sine die of the 51st Legislature, 2nd Regular Session.

SB 1445 – VETOED – school and school district accountability

Directed ADE to publish criteria relating to a school or school district's exit status from a previous letter grade of F and specified that this criteria must be provided to any school or school district currently assigned a letter grade of F.